

IAP7 Rec'd PCT/PTO 13 JAN 2006

ATTORNEY'S DOCKET NUMBER

4662-121

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/564635</b> Unknown
INTERNATIONAL APPLICATION NO. PCT/EP2004/007367	INTERNATIONAL FILING DATE 6 July 2004	PRIORITY DATE CLAIMED 15 July 2003
TITLE OF INVENTION <b>POWDEROUS FORMULATIONS OF FAT-SOLUBLE ACTIVE INGREDIENTS</b>		
APPLICANT(S) FOR DO/EO/US <b>FUNDA et al</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The U.S. has been elected (Article 31).</p> <p>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> WO 2005/013708 is attached hereto (9 pages specification, claims &amp; abstract (20 claims)).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (      pages specification, claims &amp; abstract (      claims),      sheets drawings,      page Certificate of Translation).</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. a. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>      b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (      page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<b>Items 11 To 20 below concern document(s) or information included:</b> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</p> <p>13. a. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>      b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information. Two AMENDED SHEETS (claims 1-17) annexed to IPER</p>		

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) Unknown <b>10/564635</b>		INTERNATIONAL APPLICATION NO. PCT/EP2004/007367		ATTORNEY'S DOCKET NUMBER 4662-121																																	
<input checked="" type="checkbox"/> The following fees are submitted:																																					
<b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)):</b>																																					
<table border="1"> <tr> <td>21. <input checked="" type="checkbox"/> Basic national fee .....</td> <td>\$300.00 (1631)/\$150.00 (2631)</td> <td>\$ 300.00</td> <td></td> </tr> <tr> <td>22. <input checked="" type="checkbox"/> Examination Fee..... (1643/2643) .....</td> <td>\$200.00 (1633)/\$100.00 (2633)</td> <td>\$ 200.00</td> <td></td> </tr> <tr> <td>23. <input checked="" type="checkbox"/> Search Fee .....</td> <td>\$0 (1640/2640)</td> <td></td> <td></td> </tr> <tr> <td></td> <td>\$100 (1641)/\$50 (2641)</td> <td></td> <td></td> </tr> <tr> <td></td> <td>\$400 (1642)/\$200 (2642)</td> <td></td> <td></td> </tr> <tr> <td></td> <td>\$500.00 (1632)/\$250.00 (2632)</td> <td></td> <td></td> </tr> <tr> <td colspan="2" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS</b></td> <td>\$ 400.00</td> <td></td> </tr> <tr> <td colspan="2">\$ 900.00</td> <td></td> <td></td> </tr> </table>						21. <input checked="" type="checkbox"/> Basic national fee .....	\$300.00 (1631)/\$150.00 (2631)	\$ 300.00		22. <input checked="" type="checkbox"/> Examination Fee..... (1643/2643) .....	\$200.00 (1633)/\$100.00 (2633)	\$ 200.00		23. <input checked="" type="checkbox"/> Search Fee .....	\$0 (1640/2640)				\$100 (1641)/\$50 (2641)				\$400 (1642)/\$200 (2642)				\$500.00 (1632)/\$250.00 (2632)			<b>TOTAL OF ABOVE CALCULATIONS</b>		\$ 400.00		\$ 900.00			
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<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																																					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE																																	
0 -100	0 /50 =	0.00		\$0.00 (1681)	\$																																
				\$0.00 (2681)																																	
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).																																					
CLAIMS	NUMBER FILED	# EXTRA	RATE																																		
Total Claims	17 minus 20 =	0 X	\$50.00 (1615)/	\$25.00 (2615)	\$																																
Independent Claims	2 minus 3 =	0 X	\$200.00 (1614)	\$100.00 (2614)	\$																																
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			\$360.00 (1616)/\$180.00 (2616)																																		
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)																																					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.																																					
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)). + 0.00																																					
<b>TOTAL NATIONAL FEE = \$ 900.00</b>																																					
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property + \$ 40.00																																					
Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453) + \$ 0.00																																					
<b>TOTAL FEES ENCLOSED = \$ 940.00</b>																																					
<table border="1"> <tr> <td colspan="2"></td> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be Charged:</td> <td>\$</td> </tr> </table>								Amount to be refunded:	\$			Amount to be Charged:	\$																								
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- a.  A check in the amount of \$940.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. 14-1140 in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this form is enclosed.

**101564635**

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- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.
- d.  **CREDIT CARD PAYMENT FORM ATTACHED.**
- e.  The entire content of International Application No. PCT/EP2004/007367 and any U.S. and foreign application(s) corresponding thereto, and EP 03016054.3, referred to in this application is/are hereby incorporated by reference in this application.
- NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.**

**CORRESPONDENCE ADDRESS**

Direct all correspondence to:

Customer Number:

**23117**

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Telephone: (703) 816-4000

BHD:lmv

  
**Bryan H. Davidson**

NAME

**30,251**

REGISTRATION NUMBER

**January 13, 2006**

Date